



## FLOOD CONTROL DISTRICT of Maricopa County (District)

2801 W. Durango Street

Phoenix, AZ 85009

Telephone: 602-506-4583 or 602-506-5476

Fax: 602-506-2903

### Right-of-Way Permit Application Process

(Plans that affect District owned or maintained right-of-way)

1. Complete the Permit Application Form, which is Page 3 of this application. If a permanent installation, such as a sewer line, is being proposed within the District's right-of-way, the Applicant must also purchase copies of the District's as-built plans for all District facilities within the right-of-way affected by the proposed installation. Questions regarding the purchase of copies may be directed to 602-506-8783.
2. Submit the completed Permit Application form, the Application Fee of \$250 (See attached Permit Use and Fee Schedule) and the required sets of full-size plans (24" x 36") and/or drainage reports to the attention of Shelby Brown or Angie Hardesty. The required number of plans will depend on the type of permit that is being requested. The general guideline is as follows, but additional sets of plans may be required:
  - a. Permits that will involve storm water runoff into or a permanent crossing (such as a box culvert) of a District structure require seven (7) sets of plans along with two (2) copies of the drainage report.
  - b. Permits that do not involve storm water runoff or permanent crossings require six (6) sets of plans.
3. Once the District has determined the location on District owned or maintained property, the initial Permanent Installation Review Fee of \$650 is due and payable. (The District will notify the applicant when the determination has been made.) Allow 4 to 6 weeks for District review. Upon completion of the review, the District will transmit the results of the review to the Applicant. Revisions to the plans may be necessary.
4. If the Applicant for the permit is a Consultant or other agent representing a private developer or a Municipality proposing a new facility, a final plan approval letter will be transmitted to the Applicant after receipt of revised plans and/or drainage reports that have addressed and incorporated all District comments to the satisfaction of the District. **Please note that written correspondence does not constitute authorization to begin construction activities within the District's right-of-way.**
5. After the District issues the final plan approval letter, the right-of-way permit will be issued only after the Contractor who will be doing the actual work within the District's right-of-way submits the following items:
  - a. Application form completed by the Contractor who will be doing the actual work within the District's right-of-way. Upon receipt of the Permit Application, the District will notify the Contractor of the amount of the Performance Bond and remaining fees due on the right-of-way permit.
  - b. Copy of plan approval letter from the District, if applicable. (See Item 4 above.)
  - c. Copy of the Certificate of Insurance that names the District as additional insured and in the appropriate insurance amounts. (See attached Insurance/Bonding Requirements.)
  - d. Performance Bond, if required. (Bond amount is determined during the review process, with a minimum amount of \$10,000.)
  - e. Payment of the remaining fees due on the right-of-way permit. The fees may include, but are not limited to, additional permanent installation review fees, inspection fees, and rental fees, if applicable.



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### Plan Checklist

#### THE FOLLOWING ITEMS MUST BE IDENTIFIED IN THE APPLICANT'S PLANS:

- A. Vicinity and/or Key Map.
- B. Legend
- C. Special details, including but not limited to, plan and profile sheets, cross-sections, construction notes, and general notes.
- D. North Arrow, Bar Scale, and Drawing Scale
- E. General Notes to be added to **ALL** plans:
  - 1. All Construction within Flood Control District (District) Rights-of-way jurisdiction shall conform to the latest Maricopa Association of Governments' (MAG) Specifications, unless the structure involved is a dam. If the structure is a dam, special permit requirements will apply. Dam shall mean a structure that is under the jurisdiction of the Arizona Department of Water Resources and is defined in Arizona Revised Statutes 45-1201.
  - 2. Contractor must obtain necessary District Permit prior to commencement of construction within District right-of-way and maintain a copy of the permit on the project site at all times.
  - 3. Notify the District's Permits Inspector at 602-506-4727 or 602-506-4723 at least 48 hrs prior to any work being performed in the District's rights-of-way.
  - 4. Contractor performing excavation operations is responsible for locating and protecting all underground utilities.
  - 5. All compaction and backfill within District's right-of-way shall conform to the latest MAG Specifications unless stipulated otherwise in the District's Permit.
  - 6. Any damage to District's structures, equipment, materials, vegetation, and/or property shall be replaced and/or repaired in-kind to the satisfaction of the District.
- F. Indicate District Rights-of-way, City limits, and County limits. Also include existing easement information and its recording number. If no easement exists, indicate the proposed location.
- G. Indicate the Title of Subdivision or Job Name (on all sheets).
- H. All existing utilities within the District Rights-of-way shall be located and shown dashed with the size, construction materials, type of utility line, location, and depth below grade.
- I. Include the Blue Stake sticker.
- J. Drawings must include existing topographic features adjacent or in conflict with new construction.
- K. All new construction should be delineated, via leader notes or construction notes.
- L. The Section, Township & Range must be shown on plans(s).
- M. Indicate the street names on plan (s), including distance to nearest intersection.
- N. Provide survey ties for project from known section corner, quarter section corner, or other permanent survey marker. Reference points must be on the Arizona Coordinate System, Central Zone, horizontal datum of 1983. The corresponding elevation must be provided in both 1929 NGVD and 1988 NAVD. All plans must clearly state the vertical datum used for the project.
- O. A plan and profile drawing of any proposed boring pits or excavations must be included on the drawings for work within District Rights-of-way or that may affect District facilities including but not limited to; dams, channels or floodways (lined or unlined), basins, fencing, maintenance roads, landscaping, and any other permanent type structures.
- P. Identify the location of proposed new facilities, easements, use areas, etc., by reference to the District stationing numbers and offsets. The structure station locations are generally identified in the field with station markers at 500 feet intervals and are identified on the District's as-built plans.
- Q. For information regarding Storm Water Quality Standards for runoff into District facilities, please call the District's Water Quality Branch at 602-506-4113.
- R. Show the proposed installation or use area in relation to the District's existing facilities, which shall include horizontal and vertical ties to said facilities.
- S. All proposed construction and related activities must avoid impacts to the flood protection function of the District's facility. When flood protection impacts cannot be avoided, impacts must be minimized and a flood protection mitigation plan for implementation during construction must be submitted to and approved by the District prior to issuance of any permit to conduct construction activities within the District's right-of-way.

**PERMIT APPLICATION**  
to work within Rights of Way (Real Property) of the  
**Flood Control District of Maricopa County**  
**2801 W. Durango Street, Phoenix, AZ 85009**

Contractor Name: \_\_\_\_\_

Address: \_\_\_\_\_

Street

\_\_\_\_\_

City

State

Zip

Arizona Contractors License Number: \_\_\_\_\_

(If a consultant or other agent is submitting plans on behalf of a client, they may enter "Review" in the above line.

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ FAX Number: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

\_\_\_\_\_

Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Purpose of Project: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed Construction Start Date: \_\_\_\_\_

Proposed Construction End Date: \_\_\_\_\_

Est. construction cost for work in District Right of Way: \_\_\_\_\_

Permanent easement required:    Yes                      No

Contact Shelby Brown at 602-506-4583 or Angie Hardesty at 602-506-5476 with any questions.

## **FLOOD CONTROL DISTRICT OF MARICOPA COUNTY**

### **INSURANCE/BONDING REQUIREMENTS**

#### **Commercial General Liability Insurance Coverage:**

The Certificate of Insurance covering public liability and property damage must be submitted in the following amounts:

Two million dollars (\$2,000,000) General Aggregate.

Two million dollars (\$2,000,000) Products/Completed Operation Aggregate.

One million dollars (\$1,000,000) Each Occurrence.

The Flood Control District of Maricopa County is to be named as additional insured.

#### **Performance Bond:**

The Performance Bond must be in an amount sufficient to cover damages to the Flood Control District's (District) right-of-way. Whether the Contractor has posted a Surety Bond, through a Bonding Company, or a Security in Lieu of Performance Bond, or other instrument acceptable to the District, a claim will be filed against the bond or security. District staff will determine the exact amount of the bond on a case-by-case basis, depending on the project within the District's right-of-way. However, the minimum bond amount required will be no less than \$10,000. The District may waive the Performance Bond if the contracting agency is another municipality and the municipality provides written correspondence to the District stating that it will not release the Contractor's (Permittee's) Performance Bond until the District provides written notification that all requirements in the District's permit have been met to the satisfaction of the District.

Contact Shelby Brown at 602-506-4583 or Angie Hardesty at 602-506-5476 with any questions concerning insurance or bond. Questions may also be directed by Fax: 602-506-2903.

**PERMIT USE AND FEE SCHEDULE**  
**As Authorized by Resolution FCD 2002R002**

- |                                      |  |
|--------------------------------------|--|
| 1. Permit Filing Fees (in all cases) | \$250.00 /application  |
| 2. Temporary Access *                | \$325.00 + Rent  |
| 3. Permanent Installation Review Fee | \$650.00 /application<br>\$325.00/review for each review thereafter  |
| 4. Inspection Fees                   | \$70.00/inspection (within 25 miles of Durango Complex)<br>\$80.00/inspection (25 to 50 miles of Durango Complex)<br>\$90.00/inspection (over 50 miles from Durango Complex) |
| 5. Rent (if applicable) **           | \$600.00 minimum or appraised value (whichever is greater)   |
| 6. Easement (if applicable) **       | \$600.00 minimum or appraised value (whichever is greater)   |
| 7. Appraisal Fee (if applicable)     | \$250.00 (in-house valuation) or actual cost if District<br>appraisal consultants must be utilized   |
| 8. Extensions                        | \$50.00 Filing Fee + Rent and Inspection (if applicable)   |
| 9. After-the-Fact Permit             | \$1,500.00 (assessed in addition to the above fees)  |

\* No Permanent Installation Review Fee will be assessed when the District real property is utilized for temporary use only.

\*\* Rent or Easement Fees will not be charged for utilities on existing public utility easements dedicated to the Public.

Permit Filing Fees are non-refundable. Initial Permanent Installation Review Fee covers the first submittal only. Inspection Fees are per trip. The number of inspection trips required is determined by the District on a case-by-case basis.

Commercial General Liability Insurance Coverage - as follows or other limits determined by Risk Management and adopted by the Board of Directors:

\$2,000,000 General Aggregate  
\$2,000,000 Products/Completed Operation Aggregate  
\$1,000,000 Each Occurrence

Note: No evidence of liability insurance shall be required as a condition precedent to the issuance of a permit to federal, state, county or municipal agency, political subdivision, or any public service corporation with a net worth of more than \$1,000,000 as reflected by its most current balance sheet.

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That, \_\_\_\_\_ hereinafter called the Principal, as Principal, and, \_\_\_\_\_, a corporation organized and existing under the laws of the State of \_\_\_\_\_, with its principal office in the City of \_\_\_\_\_ (hereinafter called the Surety), as Surety, are held and firmly bound unto the Flood Control District of Maricopa County, in the County of Maricopa, State of Arizona, in the amount of \_\_\_\_\_ (\$ \_\_\_\_\_), for the payment whereof, the said Principal and Surety bind themselves, and their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written Permit No. \_\_\_\_\_ with the Flood Control District of Maricopa County, dated the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, which is hereby referred to and made a part hereof as fully and to the same extent as if copied at length herein.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall faithfully perform and fulfill all the undertakings, covenants, terms, conditions and agreements of said permit during the original term of said permit and any extension thereof, with or without notice to the Surety, and during the life of any guaranty required under the permit, and shall also perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said permit that may hereafter be made, notice of which modifications to the Surety being hereby waived; then the above obligation shall be void, otherwise to remain in full force and effect;

The prevailing party in a suit on this bond shall be entitled to such reasonable attorney's fees as may be fixed by a judge of the court.

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

Seal \_\_\_\_\_  
Agency of Record, State of Arizona

\_\_\_\_\_  
Agency Address

BOND NUMBER: \_\_\_\_\_

ATTACH SURETY POWER OF ATTORNEY

\_\_\_\_\_  
Principal

By: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_  
Surety Seal

By: \_\_\_\_\_

Revised: July 24, 2002